

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joan M. Van Zant on 06/28/2010 and 07/09/2010.

The application has been amended as follows:

The following paragraph is added as the first paragraph of the Specification:

--CROSS-REFERENCE TO RELATED APPLICATIONS

This non-provisional patent application is a national stage entry of PCT/CA03/01779, filed November 17, 2003, which claims priority to U.S. provisional application 60/426,407, filed November 15, 2002.--

In the Brief Description of the Drawings (p. 4 of Specification entered 05/13/2005), the "Figure 14 is an image taken of product obtained by operation of the method of the invention in Helium at 500 Torr pressure; and" is replaced with: --Figures 14A-C are electron microscopy images taken of product obtained by operation of the method of the invention in helium at 500 torr pressure at various magnifications; and--.

Claim 1: --of about 10^7 °C/s-- is added between "...quenching rate" and "which can be calculated..." (line 17).

Claim 11: a period is added at the end of the sentence.

Art Unit: 1795

Claim 24: --of about 10^7 °C/s-- is added between "...quenching rate" and "which can be calculated..." (line 22).

Claim 25: --of about 10^7 °C/s-- is added between "...quenching rate" and "which can be calculated..." (line 19).

2. Claims 1, 3, 6, 8-14, and 22-25 allowed.

3. The following is an examiner's statement of reasons for allowance: the prior art does not teach the recited rapid quench rate in a high enthalpy direct current thermal torch to make carbon nanotubes and carbon nano-onions.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Barcena whose telephone number is (571) 270-5780. The examiner can normally be reached on Monday through Thursday 8AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Michener can be reached on (571) 272-1424. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1795

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jennifer K. Michener/
Supervisory Patent Examiner, Art Unit 1795

/Carlos Barcena/
Examiner, Art Unit 1795